IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.7455 OF 2004

Jayantilal Ravishankar Dave,, .. Petitioner

Vs

1. Maharashtra Housing and Area Development Authority, ..& anr. .. Respondents.

Mr N.V.Walavalkar i/b Mr Ajit J. Shobhawat, for the petitioner.

Mr Arun Palekar, AGP for respondent no.1.

Mr S.S.Surana, for respondentno.2.

CORAM : D.B.BHOSALE,J.

DATE : 10th September, 2004.

PC:

1. Heard the learned counsel for the parties.

2. This petition is directed against the interim order dated 26.8.2004 passed by the learned Judge of the City Civil Court, Bombay in Chamber Summons No.1068 of 2004 in S.C.Suit No.2334 of 2004. The learned counsel appearing for the parties jointly requested to grant an ad-interim order, pending disposal of the Chamber Summons, as prayed for by the petitioner, with direction to the City Civil Court to dispose of the Chamber Summons within timeframe.

3. Keeping in view the overall facts and circumstances of the case and the joint request made by the learned

counsel appearing for the parties, I am satisfied that the following order would meet the ends of justice:

(i) The impugned order dated 26.8.2004 is quashed and set aside.

(ii) Parties are directed to maintain status-quo till the disposal of Chamber Summons No.1068 of 2004 and for a period of one week thereafter, if the order in the Chamber Summons is adverse to the petitioner.

(iii) The City Civil Court shall decide Chamber Summons No.1068 of 2004 in S.C.Suit No.2334 of 2004 within a period of eight weeks from the date of receipt of this order.

(iv) The petitioner is directed to produce copy of this order before the City Civil Court within a week from today.

(v) While granting the order of status-quo, I shall not be understood to have examined the merits of the case.

. With these directions, the writ petition is disposed of.

. An authenticated copy of this order may be made available to the parties.

(D.B.BHOSALE, J.)